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15 *Attorneys for GOOGLE LLC*

16 UNITED STATES DISTRICT COURT
17
18 NORTHERN DISTRICT OF CALIFORNIA
19
20 SAN FRANCISCO DIVISION

21 SONOS, INC.,

22 Plaintiff,

23 vs.

24 GOOGLE LLC,

25 Defendant.

Case No. 3:20-cv-06754-WHA
Related to Case No. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF ITS
MOTION *IN LIMINE* NO. 4 TO
EXCLUDE REFERENCES TO
ALLEGED ANTICOMPETITIVE
CONDUCT AND FINANCIAL
INFORMATION UNRELATED TO
ACCUSED PRODUCTS**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I make this declaration in support of Google’s Administrative Motion to File Under Seal Portions of its Motion *in Limine* No. 4 to Exclude References to Alleged Anticompetitive Conduct and Financial Information Unrelated to Accused Products (“Motion *in Limine* No. 4”) (“Google’s Administrative Motion”). If called as a witness, I could and would testify competently to the information contained herein.

2. Google’s Administrative Motion seeks an order sealing the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Motion <i>in Limine</i> No. 4	Portions highlighted in yellow	Google
Exhibit 1 to the Declaration of Lana Robins in Support of Motion <i>in Limine</i> No. 4 (“Exhibit 1”)	Portions outlined in red boxes	Google
Exhibit 5 to the Declaration of Lana Robins in Support of Motion <i>in Limine</i> No. 4 (“Exhibit 5”)	Portions outlined in red boxes	Google
Exhibit 6 to the Declaration of Lana Robins in Support of Motion <i>in Limine</i> No. 4 (“Exhibit 6”)	Portions outlined in red boxes	Google
Sonos’s Opposition to Motion <i>in Limine</i> No. 4 (“Opposition”)	Portions outlined in red boxes	Google
Exhibit A to the Declaration of Joseph Kolker in Support of Sonos’s Opposition to Google’s Motion <i>in Limine</i> No. 4 (“Exhibit A”)	Portions outlined in red boxes	Google
Exhibit D to the Declaration of Joseph Kolker in Support of Sonos’s Opposition to Google’s Motion <i>in Limine</i> No. 4 (“Exhibit D”)	Portions outlined in red boxes	Google

3. The portions of Motion *in Limine* No. 4 highlighted in yellow and the portions of Exhibit 1, Exhibit 5, Exhibit 6, Sonos’s Opposition, and Exhibit A outlined in red boxes contain confidential information regarding Google’s highly sensitive financial and product revenue data,

1 internal lifetime value analyses, and costs information, as well as figures from which a competitor
2 could deduce Google's highly sensitive financial and product revenue data. Public disclosure of this
3 information would harm Google's competitive standing and create a risk of injury by providing
4 competitors with access to information that Google does not have similar access to about their
5 competitors, allowing them to gain a competitive advantage in the marketplace. If such information
6 were made public, I understand that Google's competitive standing would be significantly harmed.
7 Google has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS'
8 EYES ONLY under the protective order (Dkt. 92). A less restrictive alternative than sealing these
9 portions would not be sufficient because the information sought to be sealed is Google's confidential
10 and highly sensitive financial information but has been used by Sonos in support of its opposition to
11 Google's Motion *in Limine* No. 4. I also understand that this Court has previously granted sealing of
12 the same and/or similar information. *See, e.g.*, Dkt. 334 at 4.

13 4. The portions of Exhibit D outlined in red boxes also contain confidential licensing
14 negotiations that are not public. I understand that public disclosure of this information would harm
15 Google's competitive standing and its ability to negotiate future licensing agreements by giving
16 competitors access and insight into Google's highly confidential business thinking and asymmetrical
17 information about Google's licensing strategies to other entities. If such information were made
18 public, I understand that Google's competitive standing would be significantly harmed. Google has
19 therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY
20 under the protective order (Dkt. 92). I also understand that this Court has previously granted sealing
21 of the same and/or similar information. *See, e.g.*, Dkt. 334 at 5.

22 5. Finally, the portions of Exhibit 5, Exhibit 6, Sonos's Opposition, and Exhibit A
23 outlined in red boxes confidential information from an internal presentation and communications
24 regarding business and product strategy. Public disclosure of this information could harm Google's
25 competitive standing and create a risk of injury by providing competitors with access to information
26 that Google does not have similar access to about their competitors. A less restrictive alternative than
27 sealing would not be sufficient because the information sought to be sealed is Google's proprietary
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and confidential business information but has been utilized by Sonos in support of its opposition to Google's Motion *in Limine* No. 4.

6. A less restrictive alternative than sealing these portions of the above documents would not be sufficient because the information sought to be sealed is Google's confidential and highly sensitive financial information but has been used by Google and Sonos in support of the briefing filed in connection with Google's Motion *in Limine* No. 4.

I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct. Executed on April 26, 2023, in San Francisco, California.

DATED: April 26, 2023

By: /s/ *Jocelyn Ma*

Jocelyn Ma

ATTESTATION

I, Sean Pak, am the ECF user whose ID and password are being used to file the above Declaration. In compliance with Civil L.R. 5-1, I hereby attest that Jocelyn Ma has concurred in the aforementioned filing.

DATED: April 26, 2023

/s/ Sean Pak

Sean Pak